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Notice of Allowability

Application No.

10/816,581

Examiner

Cindy D. Khuu

Applicant(s)

WIRTZ ET AL.

Art Unit

2863

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☐ This communication is responsive to _____.
2. ☒ The allowed claim(s) is/are 1-24.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

- | | |
|------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------|
| 1. <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 5. <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 6. <input type="checkbox"/> Interview Summary (PTO-413), Paper No./Mail Date _____. |
| 3. <input checked="" type="checkbox"/> Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date <u>03/25/04</u> | 7. <input type="checkbox"/> Examiner's Amendment/Comment |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit of Biological Material | 8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance |
| | 9. <input type="checkbox"/> Other _____. |

DETAILED ACTION

Pertinent Art Cited

The following US Patent Applications reveal the current state of the art:

Allison et al. (6,304,210) teach an apparatus, method and computer program product for providing true geodetic coordinates of a target position (TGT) using an image database comprising: a portable personal computing device having means to accept input, and output data and commands; and, a processor configured to execute a process corresponding to said input, output data and commands, said process comprising (Column 14: Lines 43-52), accepting input of true geodetic coordinates of an own position (OP) (; accepting input of raw coordinates of a reference point (RP) (Column 12: Lines 28-30); and accepting input of true coordinates of RP from user, said true coordinates of RP being obtained from said image database (Column 11; Lines 26-30)

However, Allison does not teach at least the apparatus, method and computer program product for computing exact local magnetic declination variance between said raw coordinates of RP and said true geodetic coordinates of RP; and computing the true geodetic coordinates of TGT utilizing the exact local magnetic declination variance.

Donovan et al. (5,751,612) teach an apparatus, method and computer program product for providing true geodetic coordinates of a target position (TGT) using an image database comprising: a portable personal computing device having means to accept input, and output data and commands; and, a processor configured to execute a process corresponding to said input, output data and commands, said process comprising (FIG.1, ID 12), accepting input of true geodetic coordinates of an own position (OP) (Column 4: Lines 13-15); accepting input of raw coordinates of a reference point (RP); accepting input of true coordinates of RP from user, said true coordinates of RP being obtained from said image database (Column 4: Lines 5-12).

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However Donovan does not teach the apparatus, method and computer program product for computing exact local magnetic declination variance between said raw coordinates of RP and said true geodetic coordinates of RP; accepting input of raw coordinates, inclination and range of said target position (TGT); computing the true geodetic coordinates of TGT utilizing the exact local magnetic declination variance; and outputting the true geodetic coordinates, inclination and range of the TGT.

Allowable Subject Matter

Claims 1-24 are allowed.

The following is a statement of reasons for the indication of allowable subject matter:

The primary reason for the allowance of claims 1, 9 and 17 is the inclusion of the limitation "computing exact local magnetic declination variance between said raw coordinates of RP and said true geodetic coordinates of RP; accepting input of raw coordinates, inclination and range of said target position (TGT); computing the true geodetic coordinates of TGT utilizing the exact local magnetic declination variance; and outputting the true geodetic coordinates, inclination and range of the TGT".

Claims 2-8, 10-16, and 18-24 are allowed due to their dependency on claims 1, 9, and 17.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Conclusion


Any inquiry concerning this communication or earlier communications from the examiner should be directed to Cindy D. Khuu whose telephone number is (571) 272-8585. The examiner can normally be reached on M-F, 8:00-5:00.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Barlow can be reached on (571) 272-2269. The fax phone number for the organization where this application or proceeding is assigned is (571) 273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

call 9/13/05


MICHAEL NGHIEM
PRIMARY EXAMINER